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# **POWER OF ATTORNEY And CORRESPONDENCE ADDRESS INDICATION FORM**

Application Number	
International Filing Date	22 September 2003 (22.09.2003)
First Named Inventor	Luis Molina et al.
Title	NUCLEIC ACIDS ENCODING DURAMYCIN
Group Art Unit	
Examiner Name	
Attorney Docket Number	11299.105009 MMII020

I hereby appoint:

☒ Practitioners at Customer Number **20786**

OR

☐ Practitioner(s) named below:

Name	Registration Number
Sherry M. Knowles, Esq.	33,052
Madeline I. Johnston, Esq.	36,174
Stephanie D. Adams, Ph.D., Patent Agent	47,378
Monte Rhodes, Ph.D., Patent Agent	54,396

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

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OR

☐ Firm or  
Individual Name

King & Spalding LLP

Address 191 Peachtree Street

Address 45<sup>th</sup> Floor

City Atlanta State Georgia Zip 30303-1763

County Fulton

Telephone (404) 572-4600 Fax (404) 572-5145

I am the:

☒ Applicant/Inventor:

☐ Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

## **SIGNATURE of Applicant or Assignee of Record**

Name Charles J. Romeo

Signature *Charles J. Romeo*

Date Dec 30, 2004

Telephone 919 360-0172

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☒ \*Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you are required to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.

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Attorney Docket Number		11299.105009 MMT1020

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20786

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20786

OR

<input type="checkbox"/> Firm or Individual Name	King & Spalding LLP				
Address	191 Peachtree Street				
Address	45 <sup>th</sup> Floor				
City	Atlanta	State	Georgia	Zip	30303-1763
County	Fulton				
Telephone	(404) 572-4600	Fax	(404) 572-5145		

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Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

**SIGNATURE of Applicant or Assignee of Record**

Name	Luis Molina
Signature	<i>Luis Molina</i>
Date	12-10-2004
Telephone	919-490-6681

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

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**DECLARATION FOR UTILITY OR  
DESIGN  
PATENT APPLICATION  
(37 CFR 1.63)**

☒ Declaration Submitted With Initial Filing **OR** ☐ Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

Attorney Docket Number	11299, 105009 MMI1020
First Named Inventor	Luis Molina
COMPLETE IF KNOWN	
Application Number	
Filing Date	September 22, 2003
Art Unit	
Examiner Name	

**I hereby declare that:**

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

NUCLEIC ACIDS ENCODING DURAMYCIN

(Title of the Invention)

the specification of which

☐ is attached hereto

**OR**

☒ was filed on (MM/DD/YYYY) 09/22/2003 as United States Application Number or PCT International

Application Number PCT/US2003/029852 and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
60/417,709	us	10/10/2002	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance completing the form, call 1-800-PTO-9199 and select option 2.

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**DECLARATION — Utility or Design Patent Application**

Direct all correspondence to: <input checked="" type="checkbox"/> The address associated with Customer Number: <span style="border: 1px solid black; border-radius: 50%; padding: 5px; display: inline-block; text-align: center;">20786</span>		OR <input type="checkbox"/> Correspondence address below	
Name King & Spalding LLP			
Address 191 Peachtree Street, 45th Floor			
City Atlanta		State Georgia	ZIP 30303-1763
Country United States	Telephone (404) 572-4600	Fax (404) 572-5145	
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.			
<b>NAME OF SOLE OR FIRST INVENTOR:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) Luis		Family Name or Surname Molina	
Inventor's Signature <i>Luis Molina</i>			Date 12-7-2004
Residence: City Durham	State N.C. North Carolina	Country United States	Citizenship United States
Mailing Address 3912 Kildrummy Drive			
City Durham	State North Carolina	Zip 27705	Country United States
<b>NAME OF SECOND INVENTOR:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) Charles J.		Family Name or Surname Romeo	
Inventor's Signature <i>Charles Romeo</i>			Date 12/9/2004
Residence: City Carrboro	State N.C. North Carolina	Country United States	Citizenship United States
Mailing Address 311 Carol Street			
City Carrboro	State North Carolina	Zip 27510	Country United States
<input type="checkbox"/> Additional inventors or a legal representative are being named on the supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.			